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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION  
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15 DEBBIE G. BISSMEYER,  
16 Plaintiff,  
17 v.  
18 KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
19 Defendant.<sup>1</sup>

No. 1:21-cv-00209-BAM

STIPULATION AND ~~PROPOSED~~ ORDER FOR  
EXTENSION TO FILE DEFENDANT'S  
OPPOSITION TO PLAINTIFF'S OPENING  
BRIEF

20 IT IS HEREBY STIPULATED, by and between Debbie Bissmeyer (Plaintiff) and Kilolo  
21 Kijakazi, Acting Commissioner of Social Security (Defendant), by and through their respective  
22 counsel of record, that, with the Court's approval, Defendant shall have an extension of time of  
23 fourteen (14) days to file a Response to Plaintiff's Opening Brief. This is Defendant's second  
24  
25

26  
27 <sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to  
28 Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore,  
for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit  
by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 request for an extension on her Response to Plaintiff's Opening Brief. The current due date is  
2 November 25, 2022. The new date will be December 9, 2022. All other deadlines will extend  
3 accordingly.

4 Good cause exists for this request. Defendant's counsel has worked diligently to meet the  
5 timelines provided by the Court but has been prevented from doing so by illness and her briefing  
6 schedule. Defendant's counsel was out of the office due to illness from November 2, 2022  
7 through November 10, 2022, and fell behind on her briefing. She has sixty-seven other active  
8 cases in various stages of litigation, and 15 responsive briefs due in the next 30 days, including  
9 one Ninth Circuit answering brief. She also recently learned that she is assigned an oral argument  
10 scheduled before the Ninth Circuit on December 6, 2022. Additionally, Defendant's counsel has  
11 other responsibilities with another practice group in her office where the work cannot be  
12 extended. Defendant requests this extension in good faith, and with no intent to delay these  
13 proceedings unnecessarily. Defendant apologizes to the Court for any inconvenience caused by  
14 this delay.

15 WHEREFORE, Defendant requests until December 9, 2022, to deliver her response to  
16 Plaintiff's opening brief.

17 Respectfully submitted,

18 DATE: November 18, 2022

19 /s/ Jacqueline Forslund  
20 JACQUELINE FORSLUND  
21 Attorney for Plaintiff  
22 (as approved via email)

23 PHILLIP A. TALBERT  
24 United States Attorney

25 DATE: November 18, 2022

26 By s/ Margaret Lehrkind  
27 MARGARET LEHRKIND  
28 Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Pursuant to stipulation, and cause appearing, Defendant's second request for an extension of time to file a response to Plaintiff's Opening Brief is GRANTED. Defendant shall file a response on or before December 9, 2022. All other deadlines in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: November 18, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE